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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/856,845	SAITO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Katarzyna Wyrozrebski	1714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview dated 2/18/2005.
2. ☒ The allowed claim(s) is/are 1-4, 6-8, 10-15 and 24-28.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>10/18/2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sanford Astor on 2/18/2005.

The application has been amended as follows:

Claim 3, line 4 delete term "and" and insert "or".

Claim 3, line 6 delete term "and" and insert "or".

Claim 3, line 8 delete first term "and" and insert "or".

Claim 4, line 2 delete "thereof".

Claim 5 cancel.

Claim 13 incorporate period "." At the end of the claim.

Claim 15 end of line 3, delete period ".".

Claim 15, line 4 replace all occurrences of "#" with "≤"

Claim 15, line 5 replace both occurrences of "#" with "≤"

Claim 15, line 6 replace both occurrences of "#" with "≤".

(Claim 15 is written correctly in response dated 7/12/2004).

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Claim 28, line 5 delete “and” and insert “or”.

Claim 28, line 7 delete “and” and insert “or”.

Claim 28, line 9 delete first “and” and insert “or”.

*Examiner's Statement of Reasons for Allowance*

2. The following is an examiner's statement of reasons for allowance:

Pending claims recite rubber composition comprising rubber modified with compound containing at least two epoxy groups. The degree of modification as measured by GPC exceeds 60 % by weight of the modified diene rubber.

Prior art of record as applied against present claims discloses rubber composition comprising modified diene rubber wherein the degree of modification does not exceed 60 % by weight. In view of the above pending claims are passed to issue.

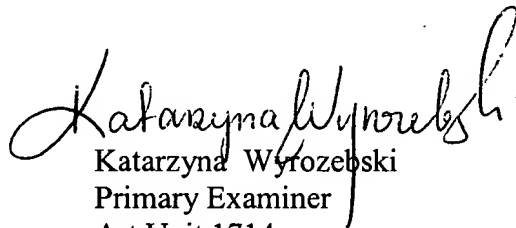
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katarzyna Wyrozebski whose telephone number is (571) 272-1127. The examiner can normally be reached on Mon-Thurs 6:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Katarzyna Wyrozebski  
Primary Examiner  
Art Unit 1714

February 22, 2005

***ABSTRACT***

A diene polymer rubber composition comprising (A) 100 parts by weight of a raw material rubber comprising (A-1) a diene rubbery polymer which is a conjugated diene rubber polymer or conjugated diene-styrene rubbery copolymer (1) containing a modified component in an amount exceeding 60 wt.%, which modified component is obtained by reacting an active end of the rubbery polymer with a polyfunctional compound having, in its molecule, at least two epoxy groups, (2) having a molecular weight distribution  $M_w/M_n$  of 1.05 to 3.0, and (3) having weight-average molecular weight of 100,000 to 2,000,000; and based on 100 parts of the component (A), (B) 1-100 parts by weight of rubber extension oil, (C) 25-100 parts by weight of reinforcing silica, and (D) 1.0 to 20 parts by weight in total of a vulcanizing agent and a vulcanizing accelerator.